

Judge McMahon

AO 440 (Rev. 5/85) Summons in a Civil Action

United States District Court

SOUTHERN DISTRICT OF NEW YORK

ADVANCED VIDEO TECHNOLOGIES
LLC,

ECF Case

SUMMONS IN A CIVIL ACTION

Plaintiff,

CASE NUMBER:

v.

PURE DIGITAL TECHNOLOGY, INC.

08 CIV 3627

Defendant.

TO: Pure Digital Technology, Inc.
30 Maiden Lane, 6th Floor
San Francisco, CA 94108

YOU ARE HEREBY SUMMONED and required to file with the Clerk of this Court and serve upon PLAINTIFF'S ATTORNEY (Name and Address)

Stanley S. Zinner, Esq.
58 South Service Road, Suite 410
Melville, NY 11747

Stephen F. Roth, Esq.
Orville R. Cockings, Esq.
Lerner, David, Littenberg, Krumholz & Mentlik, LLP
600 South Avenue West
Westfield, NJ 07090

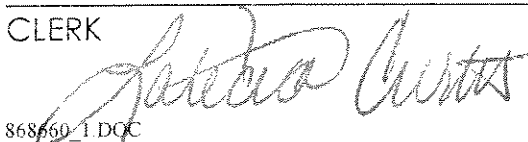
an answer to the complaint which is herewith served upon you, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

APR 16 2008

CLERK

DATE



AO 440 (Rev. 5/85) Summons in a Civil Action

| RETURN OF SERVICE | | |
|--|----------|-------|
| Service of the Summons and Complaint was made by me ¹ | DATE | |
| NAME OF SERVER | TITLE | |
| <i>Check one box below to indicate appropriate method of service</i> | | |
| <input type="checkbox"/> Served personally upon the defendant. Place where served: _____ _____ | | |
| <input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____ <input type="checkbox"/> Returned unexecuted: _____ _____ _____ | | |
| <input type="checkbox"/> Other (specify): _____ _____ _____ | | |
| STATEMENT OF SERVICE FEES | | |
| TRAVEL | SERVICES | TOTAL |
| | | |
| DECLARATION OF SERVER | | |
| <p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> | | |
| <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Executed on _____ <div style="text-align: center;"><i>Date</i></div> </p> </div> <div style="width: 45%;"> <p>_____ <div style="text-align: center;"><i>Signature of Server</i></div> </p> </div> </div> <div style="text-align: center; margin-top: 20px;"> <p>_____ <div style="text-align: center;"><i>Address of Server</i></div> </p> </div> | | |

¹) At to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

Index No. 08 CIV 3627

ADVANCED VIDEO TECHNOLOGIES LLC

, Plaintiff(s)

- against -

PURE DIGITAL TECHNOLOGY, INC.

, Defendant(s)

State of California)

) SS.:

County of San Francisco)

AFFIDAVIT OF SERVICE

Melissa Major being duly sworn, deposes and says that she is over the age of 18 years; is not a party to this action and resides within the State of California. That on 04/17/2008 at 11:44 AM at:

PURE DIGITAL TECHNOLOGY, INC.

30 MAIDEN LANE

6TH FLOOR

SAN FRANCISCO CA 94108

Deponent served the:

SUMMONS IN A CIVIL ACTION AND COMPLAINT AND DEMAND FOR TRIAL BY JURY
INDIVIDUAL PRACTICES OF JUDGE MCMAHON
INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE RONALD L. ELLIS

on PURE DIGITAL TECHNOLOGY, INC.

a domestic and/or foreign corporation
by delivering thereat true copies to Kathleen Phillips
personally, deponent knew said corporation so served to be the corporation,
described in same as said recipient and knew said individual to be the
General Counsel and who stated that they were
authorized to accept service thereof.

Deponent describes the individual served as follows:

AGE: 40 HEIGHT: 5'9" WEIGHT: 125 HAIR: BLACK RACE: WHITE SEX: FEMALE

Melissa Major
Melissa Major Lic. #

SWORN TO BEFORE ME

4/18/08

OUR DOC# 21123
Lerner, David, Littenberg, Krumholz
& Mentlik, LLP
600 South Avenue West
Westfield NJ 07090
908-518-6461

